

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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BELLEAU TECHNOLOGIES, LLC,

Plaintiff,

18 Civ. 06319 (AJN)

v.

JOEALLENPRO LIMITED, a foreign corporation;  
and JOE ALLEN, as an individual,

Defendants.

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**DECLARATION OF ERIC SADKIN**

ERIC SADKIN, declares under penalty of perjury and pursuant to 28 U.S.C. § 1746:

1. I am the founder and Chief Executive Officer of plaintiff Belleau Technologies, LLC (“Belleau”). I am also one of the named inventors of U.S. Patent No. 9,953,646 (“the ‘646 Patent”), which describes a “Method and System for Dynamic Speech Recognition and Tracking of Prewritten Script.” Unless otherwise specified, I have personal knowledge of the facts and circumstances described herein.

2. I submit this Declaration in support of Belleau’s Motion for a Temporary Restraining Order and a Preliminary Injunction.

**Background**

3. I obtained my bachelor’s degree in economics from the University of Chicago, and an MBA from the University of Pennsylvania – the Wharton School of Business.

4. While attending Wharton, I was trained in communications and public speaking at the Wharton School of Business. This training included use of then-current teleprompter technology, and observing and evaluating how speakers used the teleprompter products (e.g.,

they required manual scrolling by another person). I saw the business potential in an advancement in teleprompter technology, and then personally performed a feasibility study to learn whether speech recognition platforms were available for mobile devices such as phones and tablets. I learned that there were such platforms and then continued exploring the idea.

5. I have been involved in the original design of the patented method and in the key refinements of that method for nearly four years. Belleau has invested extensive time, labor, skills, and expenditures in developing its product and has diligently worked to protect its business, reputation, and patent.

6. Before PromptSmart launched in 2014, I spent about twelve consecutive months focused on designing the patented method. Six of those months were spent intensively working with two other co-inventors – Lakshmish Kaushik and Jasjeet Gill. During that six month period, I devoted all of my time to the invention, and had no other work commitments.

7. My input was integral into designing the logic of the system to create a method that functioned. I was involved in creating the concept of narrowing the matching window and scrolling the script piece-by-piece using an automatic speech recognition (“ASR”) buffer.

8. Once PromptSmart launched, I remained customer-facing, collecting data from users on how the system was performing. I analyzed the feedback and then used that data to instruct software developers on how to modify the product in the two to three month period post-launch.

9. In the years following the launch, I continued to gather information to assist in yet further refinements in the method. In November of 2016, I attended an in-person workshop with Lakshmish and Jasjeet. The workshop was designed, and did, make our methods even more robust than they were before, and more useful to PromptSmart customers. This workshop

culminated in specific recommendations to enhance our method that were subsequently implemented into our PromptSmart products. Several rounds of internal testing and a thorough round of external beta testing resulted in a product update becoming available to the public in December of 2017.

**The AutoPrompter App**

10. I am familiar with the defendants JoeAllenPro Limited and Joe Allen's ("Defendants") claims regarding the "AutoPrompter" application, and with the performance of the beta version of the application.

11. I make the following observations based on my familiarity with the AutoPrompter application:

- a. The AutoPrompter utilizes a speech recognition platform. Any speech recognition platform must convert speech into text, with the text file containing a plurality of hypothesis words. By claiming to use automatic speech recognition ("ASR") in the AutoPrompter, Defendants have also admitted to speech-to-text conversion.
- b. The AutoPrompter is a computer-implemented method of scrolling text presented on a screen. Said computer contains random-access memory (also known as "RAM"), which, when executed by the computer's microprocessor, causes the computer to perform the operations in subsections (a) through (n) of the '646 Patent. Mobile phones and tablets such as iPhones and iPads are included within this definition. The AutoPrompter is software specifically designed for iPhone and iPads.
- c. The AutoPrompter receives user-generated content/scripts, which contain a

plurality of artifact words.

- d. The AutoPrompter stores content, or text artifacts, using computer memory.
- e. The AutoPrompter allows for editing and display of script on the screen, which necessarily involves retrieving and displaying the text.

12. I make the following additional observations based on my knowledge of the technology in this field:

- a. According to Defendants, the AutoPrompter deploys an ASR system that follows vocal input to scroll the prewritten script in the product, and also stops scrolling if the vocal input does not match the prewritten text. *See* J. Sadkin Decl., ¶ 13, Ex. 4. There is no conceivable way to achieve this, without first comparing some number of hypothesis words from the vocal input against some number of words in the pre-written script, determining a match location for those words (by matching hypothesis words with artifact words), and then altering the display on the screen. (Claim 18(g)-(i) of the '646 Patent).
- b. According to Defendants, AutoPrompter can intelligently scroll in real time. J. Sadkin Decl., ¶ 13, Ex. 4. There is no conceivable way for AutoPrompter to accurately scroll in real time without tracking the speaker's position within the script by identifying spoken portions of the text artifact (i.e., determining whether the hypothesis words have been matched to the text artifact) and then excluding those spoken portions as candidates for further matching. (Claims 18(j)-(k) of the '646 Patent).
- c. The AutoPrompter displays text on a screen (J. Sadkin Decl., ¶ 23), and thus must determine the size of that text in order to fit it to the screen (Claim 18(l))

of the '646 Patent).

- d. All Apple devices have a gyroscope built in to the hardware. According to the AutoPrompter App Store product page, the app is “Optimised for all device sizes and both landscape and portrait operation” (J. Sadkin Decl., Ex. 5), and therefore the AutoPrompter must have a method of determining the orientation of the screen (Claim 18(m) of the '646 Patent).
- e. According to Defendants, the AutoPrompter scrolls the prewritten script on the computer display in real time using ASR. *See* J. Sadkin Decl., ¶ 13, Ex. 4. There is no conceivable method to accurately match and scroll any prewritten script without making a series of smaller decisions/matches and progressing through an entire prewritten script piece by piece. The matching window is dynamic and will thus contain different artifact words depending on the progress of the speaker through the script. (Claim 18(n) of the '646 Patent).

13. As a general matter, software implementation involves a high degree of known interchangeability of individual elements in order to reproduce the same end result – i.e., speech-recognition-based matching and scrolling.

14. There is no conceivable method by which Defendants can purport to offer the offending AutoPrompter teleprompter product without adopting elements identical or equivalent to each claimed element of Belleau's '646 Patent.

15. Defendants' AutoPrompter application must deploy either identical or substituted elements that are substantially the same, do the same work, and accomplish the same result as the claims described in Belleau's '646 Patent.

I declare under penalty of perjury that the foregoing is true and correct.

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New York, New York  
July 17, 2018

A handwritten signature in blue ink, appearing to read 'Eric Sadkin', is written over a horizontal line.

Eric Sadkin